

Wednesday, June 10, 2015

The Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, met in regular session at 9:00 AM.

PRESENT: Supervisors: Frank R. Mecham, Bruce S. Gibson, Adam Hill, Lynn Compton and Chairperson Debbie Arnold

ABSENT: None

THE PLEDGE OF ALLEGIANCE IS LED BY CHAIRPERSON DEBBIE ARNOLD.

BUDGET HEARINGS CONTINUED:

1. Budget Hearings for the Fiscal Year 2015-16 Proposed Budget, is continued.

Chairperson Arnold: announces the Tourism Marketing District (TMD) hearing will be at 1:30 PM and that all protests must be turned into the Clerk in writing prior to the start of the hearing.

Mr. Dan Buckshi - County Administrative Officer: provides a brief summary of today's meeting schedule.

CONTRIBUTIONS TO OTHER AGENCIES:

- This is the set time for consideration of the Contributions to Other Agencies.

Ms. Emily Jackson - County Administration Office: recaps the Monday's budget hearings, stating the Board made tentative approval for \$562 million of the overall budget, leaving today with about 1.6 million; thanks the Board and departments for their participation in the budget process; and discusses a memo provided by the Auditor-Controller-Treasurer-Tax Collector which summarizes the budget changes from Monday's hearings.

Ms. Nikki Schmidt - County Administration Office: provides an overview of the Contributions to Other Agencies (Fund Center 106), totaling \$1.6 million; highlights the recommended funding will be used for Community Based Organizations (CBO), Preventative Health Grants (PHG), and other miscellaneous type grants; and the unallocated funding amount available is \$50,000.

Chairperson Arnold: opens the floor to public comment.

Mr. Devin Best – Upper Salinas - Las Tablas Resources Conservation District Executive; Dr. Roslyn Caldwell – Bakari Cal Poly Mentoring Program; Ms. Bernadette Bernardi – Literacy Council; Ms. Lisa Hoyt - Child Development Resource Center of the Central Coast (CDRC); Ms. Monica Grant – San Luis Obispo YMCA Chief Executive Officer (CEO); Ms. Loretta Nicholson – Blessed Creatures Inc.; Mr. Eric Greening; Ms. Heather Cochran – Performance Arts Center (PAC) Executive Director (powerpoint); Ms. Judy Bedell; Mr. Ben McAdams; Mr. Don Yukelson - Tenet Healthcare; Ms. Catherine Manning – People's Self-Help Housing; Ms. Tatum Gleason - PAC Representative; Ms. Stephanie Teaford – Cal Poly; Ms. Cristy Jenkins – Cambria Connection Board Member; Mr. Clift Swanson – PAC Representative; Mr. Robert Hartzell - Upper Salinas - Las Tablas Resources Conservation District; Mr. Jim Patterson – El Camino Homeless Organization (ECHO) (handout); Ms. Marie Brinkmeyer – Senior Volunteer Services; Ms. Lisa Ray – Children's Resource Network of the Central Coast; Dr. Ahmad Nooristani – SLO Noor Foundation; Ms. Margy Lindquist – District Conservationists Natural Resource Conservation Service; Mr. Carl Hansen – Food Bank Coalition CEO; Ms. Joyce Lippman – Area Agency on Aging; Ms. Charlene Ables – Assistance League of SLO County; Mr. John Rowland Deerheart – North County Connection Executive Director; Mr. George Rowland – North County Connection CEO; Ms. Bryn Smith – Community Action Partnership of SLO County (CAPSLO); Ms. Angela Wright; Ms. Nicole Lemke; Ms. Mary Sheridan - Coast Caregiver Resource Center; and Ms. Anna Boyd-Bucy – Big Brothers Big Sisters (brochure): speak.

Board Members: discuss the request from Performance Arts Center (PAC) for \$250,000, with Mr. Dan Buckshi - County Administrative Officer responding.

On motion by Supervisor Adam Hill, seconded by Supervisor Bruce S. Gibson, to grant the request by

PAC, is discussed.

Supervisor Compton: addresses her concerns with using contingencies to fund the PAC request, with Mr. Buckshi responding.

Supervisor Gibson: suggests the motion be amended to fund the request by PAC out of Reserves as the County Administrative Officer and the Auditor-Controller-Treasurer-Tax Collector feels is most prudent, with the motion maker agreeing and amending the motion to reflect what Supervisor Gibson stated and with the second concurring.

The Board grants the request to fund \$250,000 to the Performing Arts Center (PAC) out of Reserves as the County Administrative Officer and the Auditor-Controller-Treasurer-Tax Collector feels is most prudent.

Motion by: Adam Hill
Second by: Bruce S. Gibson

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

Board Members: discuss their requests to grant an additional: \$15,000 to Cambria Connection, \$25,000 to the SLO Noor Foundation, \$7,000 to People’s Self-Help Housing, and \$8,000 to the 5 Cities Homeless Organization, to fully fund their requested amounts. Further, addresses granting the requested amount of \$35,000 to El Camino Homeless Organization (ECHO); allocating an additional \$10,000 to North County Connection; and allocating an additional \$5,000 each to the Upper Salinas - Las Tablas Resources Conservation District and the Coastal San Luis Resource Conservation District, with Supervisor Gibson asking each Resource Conservation District (RCD) come back with a strategic plan that includes their operational functions, what are they pursuing with the USDA, options of consolidating the two RCD’s, and their overall vision of the county work program.

The Board tentatively approves the proposed budget for Contributions to Other Agencies, Fund Center 106, including the following changes: 1) The Cambria Connection is to receive an additional \$15,000 to the recommended amount of \$20,000, for a total of \$35,000; 2) the SLO Noor Foundation is to receive an additional \$25,000 to the recommended amount of \$150,000, for a total of \$175,000; 3) the People’s Self-Help Housing is to receive an additional \$7,000 to the recommended amount of \$18,000, for a total of \$25,000; 4) the 5 Cities Homeless Organization is to receive an additional \$8,000 to the recommended amount of \$7,000, for a total of \$15,000; 5) the Upper Salinas - Las Tablas Resources Conservation District is to receive an additional \$5,000 to the recommended amount of \$15,000, for a total of \$20,000; 6) the Coastal San Luis Resource Conservation District is to receive an additional \$5,000 to the recommended amount of \$15,000, for a total of \$20,000; and 7) the El Camino Homeless Organization (ECHO) is to receive \$35,000. Furthermore, the increase in funding is to come out of the \$50,000 of unallocated funds and the remaining amount of \$60,000 is to come out of the General Fund Contingencies.

Motion by: Adam Hill
Second by: Bruce S. Gibson

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

The Board: 1) continues the FY 2015-2016 Budget Hearings to Tuesday, June 16, 2015; 2) directs staff to prepare the 2015-16 final budget resolutions, reflecting changes made during the budget hearings; and 3) authorizes Auditor-Controller-Treasurer-Tax Collector to make loans between funds for cash flow purposes.

Motion by: Bruce S. Gibson
Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

HEARING:

4. Hearing to consider a resolution declaring the results of majority protest proceedings, establishing the San Luis Obispo County Tourism Marketing District (TMD) within the County of San Luis Obispo and levy of assessments. All Districts.

Mr. Chuck Davison and Ms. Stacy Jacobs - Visit SLO County: present a powerpoint presentation.

Supervisor Hill: addresses the legality of a letter received by Howard Jarvis Taxpayer Association Group, with Ms. Nina Negranti – Chief Deputy County Counsel and Mr. John Lambeth – Attorney Representing Civitah and Visit SLO County responding.

Chairperson Arnold: opens the floor to public comment.

Mr. Ed Waage – Pismo Beach City Council; Ms. Beth Burk; Ms. Carol Nelson; Mr. Clint Pearce; Mr. Tony Spinelli; Ms. Lori Keller; Mr. Brian Talley; Ms. Susan Lyon; Ms. Carolyn Stewart-Snow; Ms. Jennifer Porter; Ms. Brianne Messer; Mr. James Prange; Ms. Charlene Rosales – San Luis Obispo Chambers of Commerce; Ms. Julie Tacker; Mr. Kim Eady; Mr. Dean Hutton; Mr. Richard Loughead; Mr. Charles Yates; Mr. Terence Concannon; Ms. Toni LeGras; Mr. Skip Brownell; Mr. Mark Eads; Mr. Michael Manchak – Economic Vitality Corporation (EVC); Mr. Effie McDermott; Mr. Mark Walton; Ms. Cindy Walton; Mr. Jeff Edwards; Dr. Serena Friedman; Ms. Amanda Diefenderfer; Mr. Erin Down; Mr. Andy Hampp; Ms. Patricia Bennett; Ms. Marjorie Ott; Mr. Mike Hanchett; Ms. Shirley Lyons; Mr. John Carsel; and Mr. Jay Jamison: speak.

Chairperson Arnold: asks staff for the percentage of protests received, with Ms. Schmidt reporting 17.23%.

Supervisor Gibson: recommends excluding RV parks and vacation rentals from the TMD, with Board Members responding.

Ms. Rita Neal - County Counsel: states suggested language to the findings can be provided to include bed and breakfasts, vacation rentals and RV parks to the resolution.

On motion by Supervisor Adam Hill, seconded by Supervisor Lynn Compton, to tentatively support the recommended actions which includes all of the assessed lodging businesses; approves the Management District Plan; and includes the language to the resolution that will be provided by County Counsel, is discussed.

Ms. Nina Negranti - Chief Deputy County Counsel: reads into the record the following added language to the resolution in Section 5, by inserting a new sentence to the end of the paragraph to read "The Board specifically finds that all the assessed lodged businesses, including residential vacation rentals, bed and breakfast establishments, and RV parks, shall benefit from the services provided by the TMD."

The motion maker amends the motion to include the language to the resolution as stated by Counsel, with the seconding concurring.

Supervisor Gibson: discusses adding language to the District Management Plan in Section 5, with Board Members responding.

Ms. Schmidt: updates the percentage of protests received to 17.65%.

Ms. Negranti: reads into the record the following changes to the District Management Plan on Page 7 of 102, Section 5, by inserting a last sentence to read "There shall be industry specific marketing included in the marketing program, including marketing of bed and breakfasts, vacation rentals, and RV parks."; and on Page 8 of 107, under Administration and Research, last line, by inserting after the word "Opportunities" "including but not limited to identifying unlicensed vacation rentals".

The motion maker amends the motion to add the language to the District Management Plan as stated by Counsel, with the seconding concurring.

Supervisor Gibson: addresses the contracts paid in full; the effective date of the resolution; and questions if a provision under a vested rights for someone who shows evidence of a contract paid in full, could be exempted from paying the extra 1%, with Mr. Jim Erb – Auditor-Controller, Treasurer, Tax-Collector, Public Administrator, Ms. Neal, and Mr. Davison responding.

Mr. Lambeth: indicates that the District Management Plan, on Page 9 of 102, under Assessment, Section C. 4, shows the January 1, 2015 date instead of the July 1, 2015 date and requests that section be amended.

The motion maker amends the motion to reflect the correct date of July 1, 2015 in the District Management Plan, with the second concurring.

Ms. Neal: recommends an amendment to the resolution, under Section 11, by inserting to the end of the paragraph "Stays pursuant to contracts executed prior to July 1, 2015 will not be required to pay the assessment."

The motion maker amends the motion to include the amendment to resolution in Section 11 as stated by Counsel, with the second concurring.

Ms. Neal: restates the motion as she understands it.

The Board conducts a public hearing to receive protests to the formation of the San Luis Obispo County Tourism Marketing District (TMD); finds a majority protest does not exist, per the percentage read into the record by staff; amends the resolution in Section 5, by inserting to the end paragraph "The Board specifically finds that all the assessed lodged businesses, including residential vacation rentals, Bed and Breakfast establishments, and RV Parks, shall benefit from the services provided by the TMD." and in Section 11, by inserting to the end of the paragraph "Stays pursuant to contracts executed prior to July 1, 2015 will not be required to pay the assessment."; and amends the District Management Plan on Page 7 of 102, Section 5, by inserting to the end of the paragraph "There shall be industry specific marketing included in the marketing program, including marketing of Bed and Breakfasts, Vacation Rentals, and RV Parks."; on Page 8 of 107, under Administration and Research, last line, by inserting after the word "Opportunities" "including but not limited to identifying unlicensed Vacation Rentals"; and on Page 9 of 107, under Assessments, Section C.4, by replacing the date January 1, 2015 to read July 1, 2015. Further, RESOLUTION NO. 2015-153, a resolution of the Board of Supervisors of the County of San Luis Obispo declaring results of majority protest proceedings, establishing the San Luis Obispo County Tourism Marketing District, and levying assessment on lodging businesses within such district beginning Fiscal Year 2015-16, adopted as amended. Furthermore, the Board levies an assessment on all lodging businesses that pay transient occupancy tax within the boundaries of the County of San Luis Obispo in the amount of one percent (1%) with the exemption of contracts entered into prior to July 1, 2015; and approves the Management District Plan as amended.

Motion by: Adam Hill
Second by: Lynn Compton

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

On motion duly made and unanimously carried, the Board of Supervisors of the County of San Luis Obispo, and

ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, does now adjourn.

I, **TOMMY GONG**, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors of the County of San Luis Obispo, and ex-officio clerk of the governing body of all other special assessment and taxing districts for which said Board so acts, do hereby certify that the foregoing is a fair statement of the proceedings of the meeting held Wednesday, June 10, 2015, by the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

TOMMY GONG, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors

By: /s/ Annette Ramirez, Deputy Clerk-Recorder

DATED: June 12, 2015